Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of Advanced Methods to Target and Eliminate Unlawful Robocalls	)	CG Docket No. 17-59

COMMENTS OF THE VOICE ON THE NET COALITION

The Voice on the Net Coalition ("VON")[1] files these comments in response to the Sixth Further Notice of Proposed Rulemaking ("FNPRM") in the above-referenced proceeding.[2] Throughout these proceedings, VON has supported Commission and industry efforts to substantially reduce the number of illegal robocalls while advocating for meaningful notification and redress requirements when carriers and analytics engines block legitimate calls.[3] VON submits these comments to explain why near-term implementation of SIP Codes 607 and 608 is necessary for consumers and the industry to realize the benefits of SHAKEN/STIR and to limit the burdens on consumers that are attempting to make legitimate calls.

As explained below, the return of SIP Code 603, a general "kill" code, when a call is blocked does not provide any useful information to the originating carrier. Unlike SIP Codes 607 and 608 which indicate, respectively, that the terminating user blocked the call and which provider blocked the call based on analytics, SIP Code 603 merely informs the originating provider that a downstream carrier or the called party prevented the call from completing. Use of this code makes the redress process cumbersome and ineffective, and drives up costs for

[1] The VON Coalition works to advance regulatory policies that enable Americans to enjoy the benefits of IP-enabled communications, including interconnected Voice over Internet Protocol ("VoIP"). For more information, see www.von.org.

[2] *See Advanced Methods to Target and Eliminate Unlawful Robocalls*, Order on Reconsideration, Sixth Further Notice of Proposed Rulemaking, and Waiver Order, CG Docket No. 17-59 (rel. Dec. 14, 2021); notice of the FNPRM was published in the Federal Register, establishing January 31, 2022, as the deadline for filing comments. 86 Fed. Reg. 74399 (December 30, 2021).

[3] Comments of the Voice on the Net Coalition, CG Docket No. 17-59 (June 4, 2021).

consumers. Near-term implementation of SIP Code 607 or 608 is necessary for the industry to recognize the benefits of SHAKEN/STIR, to promote competition, and to reduce consumer costs .

Continued Reliance on SIP Code 603 Will Reduce the Benefits of STIR/SHAKEN and Increase Costs. As the Commission is aware, VON strongly supports the Commission's prior decision that the industry must implement SIP Code 607 and 608. VON members have worked diligently to implement the Commission's SHAKEN/STIR framework, both to protect consumers from fraudulent calls and create a system that allows legitimate calls to reach the terminating user. The Commission correctly identified a need for two separate SIP Codes (607 and 608) to ensure the second of these goals. Returning SIP Codes 607 and 608 allows the originating provider to understand where in the chain (via immediate notifications) and how (via the end-user or analytics engine) calls are blocked, two necessary pieces of information that allow originating service providers to "make informed decisions regarding next steps…whether to access redress or investigate the blocking further."[4] SIP Code 603 does not provide these same benefits.

When the terminating carrier returns a SIP Code 607, the originating provider knows that the called party blocked the calling number. When the originating provider receives a SIP Code 608, it knows that the terminating or an intermediate carrier blocked the call based on analytics. The provider can then create specific 607 and 608 operating procedures to investigate spikes. These procedures could include fraud investigation, redress ticket creation, or notifying a customer that additional correction steps are required. Receipt of SIP Code 608 also allows engineers to easily track blocking patterns and investigate abnormal spikes to help reduce robocalling on the network and correct blocking errors. As the industry continues to migrate to the IP network that support SHAKEN/STIR and further reduce robocalling, the industry and the FCC should continue to find ways to futureproof IP networks. Required implementation of SIP Codes 607 and 608 is an opportunity to provide the industry additional flexible tools that can help identify and stop robocalling.

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[4] *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-69, Fourth Report and Order, 35 FCC Rcd 15221, para. 56 (2020).

Continued reliance on SIP Code 603 would not provide these same benefits and, in fact, may reduce competition within the industry and drive up consumer costs. Unlike SIP Codes 607 and 608, which identify why a call was blocked and provide information on which carrier blocked the call, SIP Code 603 simply informs the originating provider that the call was "declined." The call may have been declined for a variety of use cases, including those use cases intended for SIP Codes 607 or 608. When an enterprise customer opens support tickets with their respective originating service provider's Network Operations Center (NOC) to investigate the reason for the block, NOC teams do not know which carrier to contact. Instead, they start by opening a ticket with the next downstream provider. If that provider did not decline or block the call, it opens a ticket with the next downstream provider in the chain. This trend continues until a ticket is finally opened with the terminating provider who, at that time, would confirm whether the call was blocked by the called party, based on analytics, or for another reason. If the call was blocked based on analytics, the blocking provider will recommend that the originating service provider file a redress ticket. Depending on the number of hops in a particular call, the enterprise customer could be waiting as long as a week for any substantive updates. It could then take additional days for the redress ticket to be appropriately resolved.

To reduce wait times for their customers, some originating service providers have begun to submit redress tickets with all downstream providers simultaneously. This process creates extra work for all parties involved. Having a streamlined reporting mechanism for blocked calls would mitigate the need for additional ticket creation and alleviate stress on originating and downstream service providers.

This redress process also adds additional costs to customers who can either agree to pay a third-party provider to have their numbers temporarily "whitelisted" or wait to see if their calls are blocked and then begin the whack-a-mole redress process. VON members have been informed that even if a customer whitelists its numbers through a third-party service now, it may have to relist the numbers months down the road because some carriers reset their networks and will no longer recognize the previously whitelisted numbers. This process is cumbersome, expensive, and frustrating for enterprise customers. Based on information VON members have received from carriers; this process is not going to get any easier if the industry continues to rely on SIP Code 603.

Recently, one VON member had a large non-profit organization report that half their calls were unable to reach the called parties. Only after weeks of legitimate calls being blocked did redress ultimately fix the issue. Receiving SIP Codes 607 and 608 in this case would have helped the originating service provider identify an unexpected spike of blocks and submit the redress ticket with the appropriate downstream provider immediately.

When the VON member requested a more permanent fraud-blocking solution for these types of use cases, one analytics engine recommended submitting a redress ticket a day or two before a large calling campaign to ensure the numbers are not blocked. This is not an ideal solution for legitimate callers. In a continued search, VON members have investigated commercial solutions such as number management programs that track when a call is marked as spam or fraud; however, those solutions are expensive and cost prohibitive for some service providers and enterprises.

Failure to implement SIP Codes 607 and 608 will leave smaller originating providers behind. Without the ability to quickly identify and resolve these types of issues many small providers cannot compete with larger providers who can afford third party number management programs to know when a certain type of call is blocked. This leaves enterprise customers with fewer choices in originating service providers, as they will likely opt for a larger service provider that can reliably complete calls.

Ultimately, the Commission's goal with SHAKEN/STIR was to minimize the number of unwanted calls reaching consumers while allowing wanted calls to appropriately terminate. Unfortunately, this goal has yet to be realized as good actors continue to struggle to understand which calls were blocked and why.

The suggestion to include a "reason" in the SIP Code 603 response that could identify a call that was subject to a network block does not solve the problem. To date, carriers have not implemented this suggestion, and, in any event, such solution would have minimal value. The information included with the response varies from carrier to carrier, including the language used

to specify the reason, creating additional inefficiencies and confusion for originating service providers and their customers.[5]

The Commission Should Establish a December 31 Deadline for Finalizing the Use of SIP Codes 607 and 608. As discussed above, implementation of SIP Codes 607 and 608 in the near-term is necessary. Therefore, the Commission should establish a deadline of December 31, 2022, at the latest, for finalizing standards for SIP Codes 607 and 608 and phasing out SIP Code 603 when used for immediate blocking notification. To facilitate this result, the Commission should encourage the relevant standard-settings bodies (i.e., IETF, ATIS IP-NNI, the SIP Forum, as necessary) to accelerate their efforts to operationalize SIP Codes 607 and 608. In addition, VON recommends that Commission staff have monthly status calls with representatives from these standards bodies to confirm they are on track to meet the December 31 deadline.

When the Commission first adopted the requirement in December 2020 that any terminating voice provider that blocks calls based on an analytics program must immediately return either SIP Code 607 or 608, it recognized the appropriateness of these specific response codes, which were established in the call blocking context to signal, respectively, calls unwanted by a called party and calls rejected by an intermediary.[6] In the 13 months that have passed since the release of that Order, no progress has been made on the adoption of the two identified SIP codes, other than the intransigent position of certain voice providers to heed the Commission's obligation. Rather than explaining what has been done to finalize standards for SIP Codes 607 and 608, the carriers have repeatedly alleged limitations with SIP Codes 607 and 608, while the standard setting bodies responsible for finalizing standards have remained silent on the state of the process.

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[5] Additionally, VON recommends limiting who receives a SIP Code 607 or 608 notification to the originating voice service provider or the SHAKEN/STIR signatory (if different) and they would then pass a 4XX SIP Code to the originating caller. This process would also permit originating voce service providers to do a further customer vetting; the originating provider would only submit redress tickets for those customers who are legitimate and have had their calls blocked.

[6] Id. at para. 7, footnote 18 (wherein the Commission notes that it expects most call blocking offered by service providers will use code 608 but that 607 may be more appropriate when the called party plays a role in the rejection).

It's now time for the Commission to establish a firm date, December 31, 2022, for industry to finalize the standards for SIP Code 607 and 608.[7] VON is concerned that without such deadline and by codifying SIP Code 603 in the rules, the carriers will have no incentive to actively facilitate the changes that might be needed to finalize the standard. Until then, all the failings of SIP Code 603 will pervade (e.g., that it's meant to signal a call declined by the end user, unrelated to call analytics; that it does not provide any meaningful information to identify next steps including facilitate redress).

CONCLUSION

In sum, SIP Code 603 is of limited value in the context of analytical blocking, even if it is modified to some extent, and carriers' use of SIP Code 603 is driving up costs for originating service providers and enterprises that are trying to complete legitimate calls. Therefore, for the reasons explained above, allowing carriers to return SIP Code 603 is not a long-term solution, and the Commission should require carriers to implement SIP Codes 607 and 608 as soon as practicable and not later than December 31, 2022.

Respectfully submitted,

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[7] AT&T stated in October 2021 that implementing the SIP Codes 607 and 608, mapping them to a relevant TDM-based code and implementing the jCard header information would take over a year. Id. at para. 45. The Commission has never wavered on its intention for carriers to use SIP Codes 607 and 608, so presumably these efforts have continued and thus should be completed by December 31, 2022. To the extent that it would expedite the process, the Commission should require that only terminating providers or their analytics engines should be able to leverage SIP Codes 607 and 608. This way inclusion of a jCard is not necessary since the terminating telephone number provider would be the blocking party that would need to receive the redress ticket.